

SIXTY-SECOND DAY.

(Continued).

Senate Chamber,
Austin, Texas,
April 21, 1931.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Conference Committee Appointed.

The Chair appointed the following Senate Conference Committee on H. B. No. 185:

Senators Greer, Hardin, Gainer Small and Russek.

House Bill No. 39.

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 39, A bill to be entitled "An Act to amend Chapter 29, Acts of the First Called Session of the Forty-first Legislature, relating to the selection of jurors in certain counties; providing for the appointment of jury commissioners to select jurors; providing the qualifications of said commissioners, etc., and declaring an emergency."

Read second time and passed to third reading.

Messages from the House.

Hall of the House of Representatives,
Austin, Texas, April 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee report on H. B. No. 474 by a vote of 108 yeas and 2 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives,
Hall of the House of Representatives,
Austin, Texas, April 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill and resolution:

H. B. No. 108, A bill to be entitled "An Act to amend Article 1302, Chapter 1, Title 32 of the Revised Statutes of 1925, by adding thereto

Section 91c, so as to provide for the creation of private corporations for the purpose of buying and selling products of the soil and to own, maintain and operate cotton seed oil and other mills for grinding, mixing, and preparing such products for market, and declaring an emergency."

S. C. R. No. 34, granting authority to the Enrolling Clerk in the Senate to make certain corrections in Senate Bill No. 102, which has been recalled from the Governors office.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate Amendments to House Bill No. 625 and requests the appointment of a conference committee to adjust the differences between the two Houses. The following are appointed on the part of the House:

Burns of McCulloch, Lasseter, McDougald, Stevenson, Moore.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Bill Referred.

H. B. No. 108 referred to Committee on Towns and City Corporations.

Senate Bill No. 507.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodul:

S. B. No. 507, A bill to be entitled "An Act to amend Section 1, Chapter 10, Acts of the 4th Called Session of the 41st Legislature; and declaring an emergency."

The committee report was adopted.

Read second time and passed to engrossment.

Senate Bill No. 223.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodul:

S. B. No. 223, A bill to be entitled "An Act amending Article 2666 of the Revised Statutes of Texas of 1925, said article relating to new school districts created at eleemosynary institutions in emergency."

Read second time and passed to engrossment.

House Bill No. 955.

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 955, A bill to be entitled "An Act amending Chapter 3, Title 51, of the Revised Civil Statutes of Texas, 1925, by adding Articles 3202a and 3202b, providing for the payment, by the guardians, or other persons legally liable, for the support and maintenance of children maintained and supported in certain State institutions and schools of Texas; authorizing the State Board of Control to fix the amount of such charges; make investigations concerning the ability of such persons to make payment thereof; providing the means and manner of collecting such charges, and for an additional method of discharge of such children from such institution, and declaring an emergency."

The rule requiring committee reports to lie of 24 hours was suspended by unanimous consent.

The committee report was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 238.

The Chair laid before the Senate on its second reading the following bill:

By Senator Patton:

S. B. No. 238, A bill to be entitled "An Act to give and grant to J. W. Howard and his wife, Maude Howard, leave and permission to prosecute, in the proper courts of Houston County, Texas, suit against the State of Texas, and D. K. Martin, Cone Johnson and W. R. Ely, as Highway Commissioners of the State of Texas, in their official capacity only, for personal injuries to the wife Maude Howard and damage to their automobile; and declaring an emergency."

Read second time and passed to engrossment.

House Bill No. 1014.

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 1014, A bill to be entitled "An Act authorizing the Governor, on the recommendation of the State Highway Commission, to convey title to land acquired by the State for highway purposes where after the acquisition thereof such land is no longer needed for such purposes because of a change in the route of such highway, or the abandonment thereof; authorizing the Governor to exchange one right of way for another; requiring the Highway Commission to fix a fair and reasonable value of such land; providing for the return of land donated to the State; making it the duty of the Attorney General to pass on the validity of such transfers, and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended by unanimous consent.

The committee report was adopted.

The bill was read second time and passed to third reading.

Simple Resolution No. 114.

Senator Woodul sent up the following resolution:

Be it resolved by the Senate that the House be requested to return S. B. No. 165 to the Senate for correction.

WOODUL.

Read and adopted.

Bill Introduced.

By an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the introduction of general bills during the last 90 days of the session was suspended and consent was granted to introduce the following bill:

By Senator Woodruff:

S. B. No. 606, A bill to be entitled "An Act giving Mrs. Ola Anderson and other heirs of H. A. Anderson, deceased, consent to sue the State of Texas for damages for the alleged negligent death of the said H. A. Anderson; providing venue and the means and manner of prosecut-

ing such suit; and declaring an emergency."

Read and referred to Committee on State Highways and Motor Traffic.

Senate Bill No. 534.

The Chair laid before the Senate on its second reading the following bill:

By Senator Small:

S. B. No. 554, A bill to be entitled "An Act to amend Section 28, Chapter 274, Acts of the Regular Session of the Forty-first Legislature; and declaring an emergency."

The committee amendment was adopted.

Read second time and passed to engrossment.

Senate Bill No. 499.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodul:

S. B. No. 499, A bill to be entitled "An Act to amend Article 1840 by adding thereto another section, to be known as Article 1840-A, providing that when an appeal has been taken and the bond or recognizance etc., and declaring an emergency."

Read second time and passed to engrossment.

Conference Committee Appointed.

The Chair appointed the following Conference Committee on H. B. No. 625:

Senators Woodward, Small, Woodruff, Hornsby and Berkeley.

Senate Bill No. 124.

The Chair laid before the Senate on its second reading the following bill:

By Senator Gainer:

S. B. No. 124, A bill to be entitled "An Act authorizing and directing the Board of Directors and other managing officers of A. & M. College to create and operate a Fireman's Training School as a part of said College, providing for the creation of a Board to advise in the conducting of the same, making an appropriation therefor; and declaring an emergency."

Read second time and passed to engrossment.

Reason for Vote.

On S. B. No. 124 I vote nay. I could not secure a roll call. Therefore the only way I could secure a negative vote was to have same recorded in the Journal.

DeBERRY.

Senate Bill No. 553.

The Chair laid before the Senate on its second reading the following bill:

By Senator Purl:

S. B. No. 553, A bill to be entitled "An Act prohibiting corporations, associations and societies and the agents, representatives, officers and directors thereof or therefor, from making certain misrepresentations and circulating false literature concerning the value, contents or provisions of certain insurance policies or certificates; prohibiting the making of any misrepresentations or issuance of any statements in regard to the value or contents of any policy of any company or association for the purpose of causing said policy to be forfeited, lapsed or surrendered prohibiting causing or permitting of same to be done by such persons generally; prescribing offenses, fines, penalties and punishment; and declaring an emergency."

Read second time and passed to engrossment.

Senate Bill No. 244.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodul:

S. B. No. 244, A bill to be entitled "An Act to give and grant to O. Luthe leave and permission to prosecute in the proper Courts of Harris County, Texas, suit or suits against the State of Texas and the members of the Texas Prison Board, etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 346.

The Chair laid before the Senate on its second reading the following bill:

By Senator Oneal:

S. B. No. 346, A bill to be entitled "An Act to fix the time when the sentence of a convict, sentenced to the penitentiary, who has appealed his case to the Court of Criminal Appeals of the State of Texas, and said case has been affirmed, shall begin; prescribing the procedure in such cases, and declaring an emergency."

Read third time and passed to engrossment.

Senate Bill No. 573.

The Chair laid before the Senate on its second reading the following bill:

By Senators Hopkins and Russek:

S. B. No. 573, A bill to be entitled "An Act giving to the Lee Moore Contracting Company, its successors or assigns, consent of the Legislature to sue the State of Texas and the State Highway Commission, suit to be brought in either El Paso or Travis Counties, growing out of the construction of a twenty (20) mile strip on State Highway No. 120 and declaring an emergency."

Read second time and passed to engrossment.

Recess.

On motion of Senator DeBerry the Senate at 11:23 o'clock a. m., recessed until 9:30 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

Notre Dame, Ind., April 18, 1931.

Mr. Bob Barker, Secretary of Texas State Senate.
Austin, Texas.

The Family of
Knute K. Rockne
deeply appreciate and gratefully
acknowledge your comforting ex-
pression of sympathy

IN MEMORY
of
KNUTE K. ROCKNE
Died, March 31, 1931

Prayer

O Gentlest Heart of Jesus, ever present in the Blessed Sacrament, ever consumed with burning love for the poor captive souls in purgatory, have mercy on the soul of Thy servant, Knute; bring him from the shadows of exile to the bright home of Heaven, where, we trust, Thou and Thy Blessed Mother have woven for him a crown of unfading glory. Amen.

Our Father.

"Thy Kingdom come."

100 days indulgence, each time.

HAIL MARY.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, April 18, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 446 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,

Austin, Texas, April 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 308 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,

Austin, Texas, April 18, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 194 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,

Austin, Texas, April 17, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 171 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,

Austin, Texas, April 18, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on En-

grossed Bills, have had S. B. No. 437 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, April 18, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 796, A bill to be entitled "An Act to amend Article 3902 of the Revised Statutes of 1925, as amended by the Acts of 1929, 41st Legislature, Chapter 92, page 225, providing for the appointment and compensation of first assistants, heads of departments, other assistants, stenographers, clerks and investigators, in the office of the County Attorney, in any county having a population of more than 130,000 and less than 150,000 inhabitants, as shown by the latest United States Census, and containing two cities of 50,000 or more population, each, as shown by said Census, said County composing two or more Judicial Districts, and having no District Attorney, by adding Section 3902-E; repealing all laws and parts of laws in conflict with the amendment herewith provided for, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

POAGE, Chairman.

Committee Room,

Austin, Texas, April 21, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 1014, A bill to be entitled "An Act authorizing the Governor on the recommendation of the State Highway Commission to convey title to land acquired by the State for highway purposes where after the acquisition thereof such land is no longer needed for such purposes because of a change in the route of such highway, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to

report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

Committee Room,

Austin, Texas, April 21, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 955, A bill to be entitled "An Act amending Chapter 3, Title 51, of the Revised Civil Statutes of Texas, 1925, by adding Articles 3202-a, and 3202-b, providing for the payment, by the guardians, or other persons legally liable, for the support and maintenance of children maintained and supported in certain State Institutions and Schools of Texas; authorizing the State Board of Control to fix the amount of such charges; making investigations concerning the ability of such persons to make payment thereof; providing the means and manner of collecting such charges, and for an additional method of discharge of such children from such Institution, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

MOORE, Chairman.

Committee Room,

Austin, Texas, April 21, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Military Affairs, to whom was referred

H. B. No. 799, A bill to be entitled "An Act to amend Section 2 of Chapter 141, page 210, of the General and Special Laws of the Regular Session of the 40th Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODUL, Chairman.

Committee Room,

Austin, Texas, April 21, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Military Affairs, to whom was referred

S. B. No. 594, A bill to be entitled "An Act amending Article 4006 by

adding Article 4006-A, providing further exceptions to Article 4005 authorizing certain railways and certain other companies may issue passes and extend certain privileges to Indian War Veterans; providing generally therefor; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODUL, Chairman.

SIXTY-SECOND DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
April 22, 1931.

The Senate met at 9:30 a. m., pursuant to recess, and was called to order by President Pro Tem. Carl Hardin.

Senators Excused.

The following Senators were excused for the day on account of important business:

Senator Small, on motion of Senator Hornsby.

Senator Woodruff, on motion of Senator Moore.

House Bill No. 335.

The question recurred upon H. B. No. 335.

Senate Bill No. 258.

The Chair laid before the Senate by unanimous consent, the following bill:

By Senator Pollard:

S. B. No. 258, A bill to be entitled "An Act regulating child labor at certain ages, fixing the hours and time of work, and prescribing ages for work at certain places, and for certain kinds of work, according to the dangers and environment; fixing and limiting the hours of work per day and per week; providing for the issuance of permits for certain children to be taken out of school, and to work in certain places, and for the displaying and renewal of same; providing exceptions; providing for inspections of places where

child labor is used; prescribing the duties of the Bureau of Labor Statistics; requiring reports, records and providing generally for the enforcement of the provisions thereof; prescribing offenses, fines and penalties and punishments, and declaring an emergency."

Senate Pollard sent up the following amendments:

Amend C. S. S. B. No. 258 by adding at the end of Section 5 thereof the following: "Provided, however, that nothing in this Act shall be construed to prevent the employment or working of any child between the ages of fourteen (14) and sixteen (16) years from delivering messages in incorporated cities or towns of less than 15,000 inhabitants, according to the last Federal census."

POLLARD.

Read and adopted.

Amend C. S. S. B. 258 by adding after the words agricultural pursuits" the words "dairying pursuits or delivering milk or farm products."

POLLARD.

Read and adopted.

Amend C. S. S. B. No. 258 by striking out all after the word "any" in line 2, Section 4, and the words "of age or" in line 3, Section 4.

WILLIAMSON.

The amendment was read.

On motion of Senator Pollard, the bill was laid on the table subject to call.

Simple Resolution No. 115.

Senator DeBerry sent up the following resolution:

A SIMPLE RESOLUTION

Designating the second week in January of each year "Soil and Water Conservation Week" without declaring a holiday.

Whereas, the Forty-second Legislature of the State of Texas, having declared agriculture to be its greatest natural resource, and soil erosion to be the greatest menace to the continued use of the land, and in order to maintain the productiveness of agriculture for the owners of the land in conservation of soil fertility; and the Forty-second Legislature having authorized the commissioners' court to use the construction ma-